

COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

March 19, 2007

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In the Matter of  
Peter Van Wyck

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Docket No. 2007-020  
File No. ACOP-NE-06-W000  
Essex

**RECOMMENDED FINAL DECISION**

Peter Van Wyck requested an adjudicatory hearing by submitting a Fee Transmittal Form with some limited information, and paying the appeals filing fee itself. An Order for a More Definite Statement was issued on February 15, 2007 requiring the petitioner to submit additional information to supplement his claim, and meet the minimal form and content requirements of 310 CMR 1.01(6)(b). The Order required submission of the additional information by February 27, 2007.

The petitioner did not provide any information in response to the Order, however, on March 15, 2007 the petitioner filed a letter indicating that he “hereby withdraws his request for appeal of the above referenced UAO”. I recommend the request to withdraw be allowed and the appeals dismissed as moot, pursuant to 310 CMR 1.01(6)(e) and 310 CMR 1.01(5)(a)(15) f.ii.



## **NOTICE**

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c.30A. The Commissioner's Final Decision is subject to rights and reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any portion of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.

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Ann Lowery  
Presiding Officer

***Adopted by Acting Commissioner Arleen O'Donnell March 23, 2007.***